

the others and they were soon dispatched." This incident has been called "the squaw fight."<sup>4</sup>

There are other reports of the killing of Indians by whites. Some are vague. One such imprecise account stated "that 7 Indians known to have been engaged in Blackhawk raids had lately closed their accounts."<sup>5</sup> Because of vague reporting, it is impossible to state how many Indians were killed during the Black Hawk War and under what conditions many died. What is known is that the whites became increasingly frustrated in dealing with the Indians and began killing or incarcerating them.

On March 14, 1866, the Ute chief Sanpitch and seven or eight other men were captured near Nephi by Major Snow, who took them under guard to Manti. Snow threatened the captives, telling them "that if hostilities continued they would be shot to begin with, and so on until the last Indian was destroyed that could be found, for we could not put up with killing and stealing any longer." Snow ordered Sanpitch to dispatch men to bring in Black Hawk and his band—a rather naive demand, for Sanpitch had insufficient power to have Black Hawk apprehended.<sup>6</sup> Probably taking Snow's threat to kill them at face value, however, Sanpitch and the others broke jail on April 12. All were hunted down and killed.<sup>7</sup>

By the beginning of 1866 the Black Hawk War had expanded to include other Indians, most notably the Paiutes. Previous hostilities had centered largely in areas normally inhabited by Utes. The Ute raids were often similar in character—swift attacks from nearby canyons, with the Indians dividing their forces. Some of the raiders would harass and even kill the whites, thus keeping them at bay, while others drove off the communities' cattle. Frequently a guard was left behind to slow any pursuit by the whites. Such tactics were not apparent in conflicts involving the Paiutes.

Described as "not a very warlike tribe," by Thomas C. W. Sale, a U.S. government official, the Paiutes were also reported as "very poor and destitute. They have no horses or other domestic animals, and live principally on roots, pine nuts, small game, reptiles and

<sup>4</sup>Gottfredson, *Depredations*, pp. 159-61. Gottfredson's account is based largely on the testimonies of the participants in the expedition, Joshua W. Sylvester and E. C. Petersen (Chris Feuting). The reports of the killings came with the phrase, "it was said," but who did the saying is not known. Gottfredson mistakenly identified Warren S. Snow as "General."

<sup>5</sup>George A. Smith, "Journal," March 27, 1866, Journal History of the LDS Church, LDS Church Library-Archives, Salt Lake City, Utah.

<sup>6</sup>Warren S. Snow to General George A. Smith, March 14, 1866, Journal History.

<sup>7</sup>Gottfredson, *Depredations*, pp. 187-89; Culmsee, *Black Hawk War*, pp. 80-88.

insects." They were also called "expert thieves" who occasionally stole stock and other articles from wagon trains on the California road. Sale's assertion that the Paiutes owned no horses is inaccurate, for there are reports of them with horses. For example, Silas S. Smith in April 1866 reported seeing six mounted "Piede" Indians (apparently a branch of the Paiutes) who were "brought in" to Panguitch, "cautioned and released." Disturbances involving the Paiutes likely had little to do with the fact that the Utes were at war, because relations between the two nations were poor. Sale stated that the Paiutes were afraid of the Utes because the latter had been long "in the habit of stealing the Women and children . . . and either selling them to the Spaniards or to some other tribe—Sometimes they were Kept as Servants."<sup>8</sup>

The war between the whites and Paiutes also had cruel aspects. The first such incident occurred in January 1866 near Pipe Spring, just over the Arizona border. A party of whites investigating the disappearance of two men was going to an Indian camp for information. On the way, they discovered the bodies of the two men beneath the snow. Proceeding to the camp, the whites killed two Indian men who resisted arrest. Returning with prisoners, the militia group passed the spot where the corpses of the two whites were being lifted into a wagon. Having found some clothing of one of the dead whites among the Piedes, the guards "lost their patience" and shot and killed five of the prisoners. One man was spared to be used as a guide.<sup>9</sup> This was the first of a series of killings in an apparent attempt to eliminate thieves or to intimidate the Indians into leaving.

In the same month as the slaying of Indians near Pipe Spring, a few Paiutes stole some stock from the Mormon settlements in Nevada's Muddy Valley. When a group of Indians was caught drying the meat of a butchered animal, "the brethren took them prisoners and severely whipped them." Soon after, at a meeting between over fifty Indians and the settlers, the aboriginals were told that peace was desired but that the taking of stock must end. Anyone caught stealing cattle would be killed. All but two of the Indians agreed "very reluctantly" to cooperate. The two dissenters were declared outlaws, and the whites "told the Indians that . . . [they] would kill them as soon as . . . [they]

<sup>8</sup>Thomas C. W. Sale to O. H. Irish, May 4, 1865, Letters Received by the Office of Indian Affairs, 1824-81, Utah Superintendency, 1863-1865, National Archives, Washington D.C.; Silas S. Smith to George A. Smith, April 10, 1866, Journal History.

<sup>9</sup>James G. Bleak to George A. Smith, January 26, 1866, Journal History.

could catch them." One of these "outlaws" was later apprehended and shot. The Indians reacted with "discontent and fear" and soon left the area.<sup>10</sup> On another occasion the white settlers along the Muddy River killed five Indians in retaliation for the murder of a miner. Two men were formally executed by hanging. One man, Okus, confessed to the murder, and the other was implicated by Okus as an accomplice. The three others were killed for resisting arrest.<sup>11</sup> The Paiutes were also capable of brutal conduct. On April 2, 1866, three whites, two men and a woman, were killed in Long Valley, probably by Piedes or other Paiutes. In this attack, the woman was reportedly raped before she was killed.<sup>12</sup>

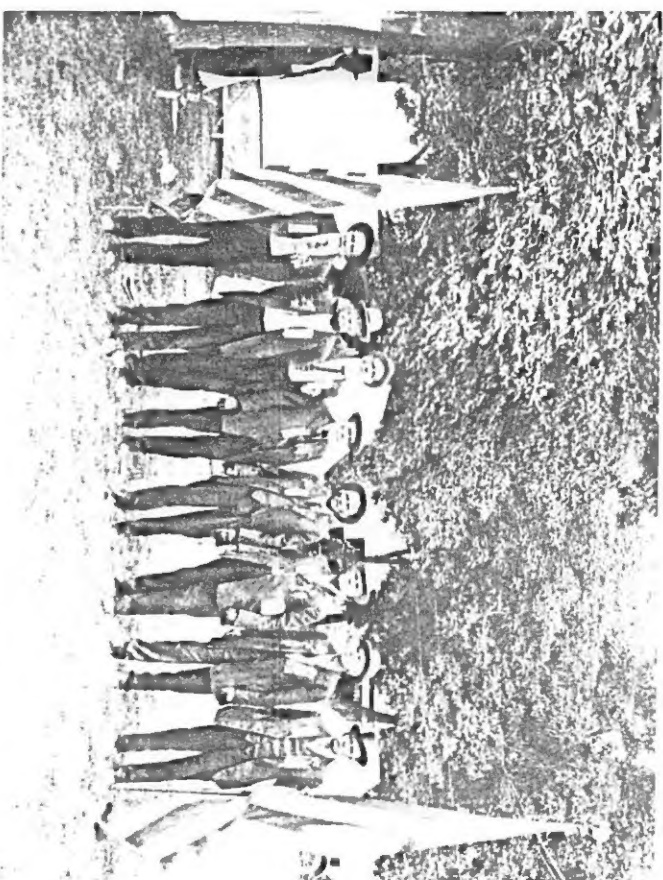
By late April 1866 a familiar pattern of frontier justice, including the summary execution of those suspected of crimes, had emerged. Even whites with questionable or no official status could take matters into their own hands with little or no fear of legal retribution. Inquiries often consisted of little more than routine questioning, while a judgment of guilt upon an Indian required little more than proximity to a crime or to suspected hostiles or a reluctance to profess friendship to the whites. Often such fragile indications of wrongdoing were sufficient for men and women to be summarily killed or otherwise mistreated. The reluctance or inability of territorial and federal officials to assure that the proper legal procedures were followed in white relations with the Indians helped to create a climate that allowed for continued misconduct. Free to resolve their problems with the Indians with little or no fear of legal review, the whites of Circleville would virtually wipe out an entire group of Piede Indians.

Early in 1864 settlers had been called to go to Circle Valley. The first group—from various towns in Sanpete County—arrived at the future location of Circleville in March. They established Circleville on the west bank of the Sevier River about five miles upstream from the point where that river and the East Fork of the Sevier meet. The town grew rapidly. By the spring of 1865 forty-five "good and substantial" log houses had been erected. The largest structure in the settlement was "a good and commodious log meeting-house, 36 feet by 20" that would also serve as a school for eighty children. In November 1865

<sup>10</sup>Warren Foote to D. W. Sessions, March 13, 1866, *Journal History*.

<sup>11</sup>[Letter], March 29, 1866, *Journal History*. This missive is anonymous, but the information in it was received from John Nebeker.

<sup>12</sup>Gottfredson, *Depredations*, pp. 181-83. See also William B. Maxwell to George A. Smith, April 12, 1866, *Journal History*.



*Black Hawk War veterans at an encampment in Richfield, Utah. Peter Gottfredson, author of Indian Depredations in Utah, is second from right. USHS collections.*

Franklin D. Richards estimated, perhaps with some exaggeration, that the community numbered six hundred people.<sup>13</sup>

Circleville became involved in the war when Maj. Warren S. Snow was again hunting Indians, this time with 103 men from Sanpete County. This force stopped at Circleville on September 18, 1865, and left the following morning eventually to skirmish with Indians at Red Lake in Wayne County. There, three whites, including Major Snow, were wounded and "several" Indians were killed.<sup>14</sup>

In spite of hostile activities nearby in the fall of 1865, the inhabitants of Circleville took inadequate steps to defend themselves. This was never more apparent than when the town came under direct attack on November 26, 1865. In all probability the raid was staged by hostile

<sup>13</sup>These quotes are found in Edward Tolton to Editor, *Deseret News*, dated February 18, 1865, in *Deseret News*, April 12, 1865. See also Franklin D. Richards to William H. Hooper, November 8, 1865, *Journal History*; Edward Tolton to Editor, *Deseret News*, April 15, 1866, in *Deseret News*, May 10, 1866; Franklin D. Richards "visit to southern settlements," September 13, 1865, *Journal History*.

<sup>14</sup>Gottfredson, *Depredations*, pp. 167-69.

Utes. The inhabitants of the town were caught completely by surprise as the war party came down "East Canyon" or "Rock Canyon" from whence flows the East Fork of the Sevier River. The attack was skillfully managed. A group of Indian men gathered the town's cattle while others rode close to the settlement shouting and shooting. At one point, twelve Indians were observed on a hill keeping watch while others gathered and began driving the cattle back towards East Canyon.

In meeting the emergency the whites demonstrated inferior military skills compared with those of the Utes. The settlers were too scattered to offer effective resistance during the attack, for only six people were reported in the town when the Indians were first seen. Everyone ran for the protection of the meetinghouse before the men could organize themselves for some type of pursuit. A "little force" of whites, some mounted and some on foot, tried to overtake their adversaries, but by the time they crossed the Sevier River only one Indian was left in sight. He kept his distance and was able to hold his pursuers at bay by the skillful use of a Henry rifle, an early lever-action repeater, which gave him a considerable advantage over a militia that possessed "no modern arms." The Indian was able to shoot the horse of one of the whites before retreating into the mountains.

The loss of cattle was not the only casualty suffered by the whites in the raid; the cost was high in human lives as well. An elderly man, James Froid, had been riding in a wagon of a group of people returning from Salt Lake City with provisions for the winter when he decided to get out of the wagon and go ahead to town. When the Indians struck, he made the mistake of trying to drive some of his cattle away rather than fleeing or hiding. He was pursued and shot. From the physical evidence, the settlers later surmised that the wounded Froid was stripped and then riddled by bullets and arrows as he attempted to flee up a ravine. Hans Christian Hansen was shot in the back near the bed of the Sevier River and fell face down in the sand. When his body was recovered the next day, it was noticed that his face had been smashed either by the fall or by the weight of his body pressing it down overnight and his nose had been driven into his head. Two thirteen-year-old boys, Orson Barney and Ole Hellersen, were the other fatalities. Barney had been shot in the back of his head, and part of his skull was blown off. When he was laid out for burial the next day, cotton was discreetly put into his hair to make him look more normal before his mother viewed him.

Circleville residents had "very little sleep" that night as they tried to assess their losses. Some relief was felt when a few of those missing and feared dead found their way to the settlement after dark. Eliza M. Munson and her husband James W. Munson were returning from Salt Lake City when they saw the Indians. He immediately packed her across the river. They planned to sell their lives dearly by having Eliza load the pistols as James shot them. Such measures proved unnecessary when the couple escaped unnoticed. Eliza's sister, Ellen A. Nielsen, was in another wagon with their two-year-old brother and her husband Mads. Mr. Nielsen kept one Indian at bay by pointing an old broken revolver at him. However, the Ute turned and shot one of the horses hitched to the wagon, making further flight possible only on foot. While the Indian was reloading his rifle, the three whites jumped from the wagon to hide in some willows. Ellen, carrying her small brother, was so fearful of what might happen to her if captured that she jumped into a slough of the river where the water reached her neck. Her brother found the water too cold and frightful to enter, so Ellen allowed him to sit on the bank. He remained in easy reach so she could drown him and herself if capture became imminent. The Nielsens and the boy remained concealed while their wagon was plundered of food and clothing. By the time they reached town, Ellen's clothing was frozen stiff on her body and her brother was fast asleep.<sup>15</sup>

One of the most important factors in the massacre the following spring was that Circleville's ability to defend itself was not significantly improved over the previous fall, thus giving the settlers continued reason for concern. The town was isolated and could expect little rapid assistance in the event of an emergency. The closest settlement was the hamlet of Marysvale roughly twenty-one miles to the north. Although the two communities were connected by a good road, the inhabitants of Circleville could expect little aid from that direction. A muster of the militia of Marysvale produced only "16 men, 13 guns and some revolvers," and it would be necessary to leave some men to guard the hamlet, although the community was actually a fort that was described as being "130 by 140 feet square."<sup>16</sup>

<sup>15</sup>All direct quotes are from Christian Larsen, "Biographical Sketch," LDS Church Library-Archives. For other first-person accounts see Eliza M. Munson, "Questions Concerning Black Hawk War Answered," Utah State Historical Society Library, Salt Lake City, Utah; and Ellen A. Nielsen as cited in Gottfredson, *Depredations*, pp. 176-79. See also Culmsee, *Black Hawk War*, pp. 69-72.

<sup>16</sup>George A. Smith, "Journal," March 25, 1866, Journal History, and George A. Smith to General [Daniel] Wells, April 2, 1866, Journal History.



To the south, the closest community was Panguitch about twenty-seven miles away. In a visit to the town in March 1866, George A. Smith called a muster of the militia. Forty men appeared with twenty-two guns and "some" revolvers. Only "one half of the guns were scarcely fit for service, being thin barrelled fowling pieces and out of repair." Two factors made any aid from this direction unlikely. First, "the people were in a very scattered condition and exposed to the attacks of any marauding band of savages" because they did not enjoy the protection of a fort. Moving any sizeable force from Panguitch invited the possibility of a major disaster if the community was attacked in its absence. Second, the difficulty of reaching Circleville precluded prompt assistance. The road was considered "very bad," and its route necessitated the crossing of the Sevier River by Smith and his party eighteen times when they traveled from Panguitch to Circleville. The circuitous journey took them from "breakfast" to "dark" on March 23, 1866.<sup>17</sup>

Communications in the entire area were difficult because couriers were often hard to procure. Once, when express letters arrived at Alma (modern Monroe) that were to be forwarded to the militia stationed in Circleville, the Mormon bishop in Alma called on several young men to carry the dispatches. They all refused, stating that they might be scalped by Indians or drowned in the flooding Sevier River. The letters were eventually carried by Lewis Barney who said it was unsafe to travel the roads between communities with less than twenty-five men.<sup>18</sup>

Circleville was one of six settlements along the Sevier River that were considered "exposed" by George A. Smith during his March 1866 visit. Panguitch was considered to be in the most dangerous position because it had no fort. However, Marysvale was the only one mentioned as having the entire community within such a compound. At that time, Circleville was in the process of building a fort which was only one of a number of important projects including repairing canals and ditches. It was certainly not as unprotected as Panguitch, but it was also not as secure as Marysvale. For the protection of Circleville, Smith suggested that an additional stockade be erected where the two branches of the Sevier River meet five miles from the settlement. He wanted this enclosure occupied by thirty armed men; however, no action was taken on this proposal. Circleville remained among those

<sup>17</sup>Smith to Wells, April 2, 1866, and March 23, 1866, *Journal History*.

<sup>18</sup>Lewis Barney, "Autobiography," Utah State Historical Society Library.

towns listed as having "too few men and what are there are not over half armed and scattered over too much ground."<sup>19</sup>

The militia force of Circleville was led by Maj. James Allred. His relatively high rank was based on the fiction that a battalion was under his command. The number of men available in Circleville was far less than the 150 thought necessary to comprise a company. In fact, the lack of manpower influenced the decision to abandon the settlement in the early summer of 1866. Meanwhile, to keep Circleville's manpower as high as possible those who had recently moved were "forced" to return. It was considered "not only cowardly but wicked" to leave at a time when every man was needed to defend the community. This practice caused some irritation when those who had bought the homes and land of those who had left had to make room for them when they returned. Writing from Parowan in May of that year, Jesse N. Smith reported that he had received word from the Mormon bishop of Circleville, William Allred, that the town had seventy-five families and seventy-five men. Another report, dated June 1, 1866, by Capt. A. G. Cowmover at Circleville stated that there were "50 well armed men" in the settlement.<sup>20</sup>

One of the positive steps taken in the spring of 1866 to help the area militarily was the erection of a post known as Fort Sanford. On March 23, 1866, George A. Smith was accompanied by a group of men from Panguitch as far as the mouth of Bear Creek where it empties into the Sevier River about ten miles north of the town. At this locale, Smith gave a dedicatory prayer for the establishment of a community and a fort. Soon after, over fifty men from Beaver and Iron counties were called to establish and man the post. Silas S. Smith was placed in command of this force, and they began to erect a stockade and to make preparations for a settlement close by. The post was in a strategic location designed to protect the routes to Parowan and Beaver from Panguitch and Circleville. The importance of the garrison for Circleville lay in its putting a mobile force some seventeen miles from the town. Still, the fort and the settlement were separated by terrible stretches of road. Any aid from this garrison was hours away even on the fastest horses.<sup>21</sup>

<sup>19</sup>Smith to Wells, April 2, 1866, *Journal History*; Larsen, "Biographical Sketch."

<sup>20</sup>The quotes are from Larsen, "Biographical Sketch." See also Jesse N. Smith to Lieut.-General D. H. Wells, May 9, 1866, *Militia Records*, Utah State Archives, Salt Lake City, Utah; A. G. Cowmover to General Pace, June 1, 1866, *Militia Records*, Utah State Archives.

<sup>21</sup>Smith to Wells, April 2, 1866, *Journal History*; George A. Smith, "Journal," March 23, 1866, *Journal History*; Joseph Fish, "Diaries," [23 March 1866], Brigham Young University Archives, Provo, Utah.



*Daniel H. Wells, head of the Utah Militia, visited Circleville in 1866 and ordered the town evacuated. USHS collections.*

Despite the existence of Fort Sanford, the overall assessment of the town's ability to defend itself was not reassuring. When Daniel H. Wells, the commander-in-chief of the Utah Militia, visited Circleville in the early summer of 1866 to decide if the community should be abandoned, he expressed surprise that the people "were not all annihilated living in such an exposed out of the way place." He said the area had been settled ten years too soon, and he ordered the inhabitants to move immediately.<sup>22</sup>

Late in April 1866 the Indian war flared up near Circleville, once again threatening that community. The town militia became minor participants in an attempt to retrieve some stolen cattle. On the night of April 22, twenty-one men from Richfield, Glenwood, and Alma were attempting to get back their stock by tracking the Indians who had taken them. Aided by a bright moon, the militiamen from Sevier County reached Marysvale. Before dawn on April 23 this group was ambushed just outside the fort. One man, Albert Lewis, was killed instantly. A shot hit the handle of a pistol of Christian Christensen, and the ball and fragments of the pistol grip went into his abdomen. Mortally wounded, he died twenty-one days later. Two other men were also hurt but recovered. After sunrise the body of Lewis and the wounded

<sup>22</sup>Larsen, "Biographical Sketch." The direct quote is in the words of Larsen.

men were retrieved. One of the men helping with Christensen was Maj. James Allred from Circleville who had apparently been in Marysvale that night. The militia followed the Indian trail until it headed up East Canyon near Circleville. On a ridge, they were joined by about forty men from that town. The men discussed possible courses of action but decided to pursue the Indians no further. The men of Circleville returned home, no doubt having heard the disturbing details of the ambush.<sup>23</sup>

The ambush at Marysvale and the presence of hostile Indians nearby certainly gave the people of Circleville cause for concern, but Indian trouble near Fort Sanford produced the greatest anxiety. It was probably on the morning of Sunday, April 22, that two Piede Indians were observed on the opposite side of the Sevier River from the enclosure. Two men, William M. West and Collins R. Hakes, went across to question them. The Indians appeared nervous and gave unsatisfactory answers to the inquiries of the whites. The Indians claimed they had an important message from Black Hawk to Capt. John Lowder, whom they expected to find in Panguitch. Informed that Lowder was in the fort, the Indians became nervous and attempted to push their way past. A scuffle ensued in which West was shot in the shoulder and one of the Indians was killed by Hakes. The other Indian, wounded by Captain Lowder who came riding up to the scene of the disturbance, made good his escape.<sup>24</sup>

Soon after, a camp of Piede Indians near Fort Sanford was disarmed and brought into the stockade. Apparently, they were warned to remain peaceful and then released. The day following the scuffle near the fort, Captain Lowder and a group of militiamen visited a camp of Piedes two miles from Panguitch. The Indians became excited and shots were fired. One white, James Butler, was wounded, and "two or three" of the Indians were killed. The Indians were held captive for a few days and then released with instructions that they stay in a specific area.<sup>25</sup>

News of the shooting of William M. West near Fort Sanford made the people of Circleville decide to arrest the local group of Piedes. The report of the incident from Maj. Silas S. Smith to the inhabitants of the town stated "that two of our friendly Indians had shot one of his

<sup>23</sup>Gottfredson, *Depredations*, pp. 193-95. Gottfredson calls Allred "Major Allred," but no other Major Allred is known in connection with the Black Hawk War other than James T. S. Allred.

<sup>24</sup>John Lowder as cited in Gottfredson, *Depredations*, pp. 190-93; *Deseret News*, May 10, 1866; Joseph Fish, "Diaries."

<sup>25</sup>*Deseret News*, May 10, 1866; Joseph Fish, "Diaries."

men."<sup>26</sup> These two Indians were apparently associated with the Indians who lived in Circle Valley with the whites. The relationship between the settlers and these Piedes had been reportedly good. The whites treated them with kindness, often trading baked goods with them for venison and beaver meat. However, the settlers began to view their neighbors with increased suspicion when strangers were noticed coming and going among them, and it was feared they could be acting as spies for hostile Indians.<sup>27</sup>

A message was sent, probably on April 23, 1866, to the Indians, requesting they come into town. Some of them came voluntarily and were interviewed by Bishop William J. Allred. According to his account, he told them what had been learned from Major Smith's letter and said the whites wanted to live with them in friendship and peace. If that was also their intention, they were informed, they would have to lend the settlers their guns. Allred further said that they could then work for the whites and be paid in whatever goods they needed. The Piedes were distrustful and hard to convince, but they reluctantly surrendered their weapons.<sup>28</sup>

Maj. James Allred placed a guard over this group and returned to the camp in the evening where the other Indian men and the women and children remained. They were quietly surrounded, and Allred, "who spoke the Indian language very well," told them they would be treated well if they surrendered their arms and went to town. One of the men immediately tried to escape. The whites opened fire, and as the Indian fell his gun discharged. The ball grazed the chest of Oluf Christian Larsen and cut the barrel off the gun of the man standing beside him. Larsen believed that if the bullet had come three inches closer it would have killed them both. All the others in the band surrendered and were disarmed. The men were marched into the meetinghouse where they were put under guard. Sticks were placed across the small of their backs and their arms tied behind them. The women and children with their belongings were placed in a vacant cellar also under guard.<sup>29</sup>

A message was sent to Col. W. H. Dame, the regimental commander over Major Allred's unit, requesting advice on what to do with the captives, "as we did not like to take the responsibility of deciding

<sup>26</sup>William J. Allred to George A. Smith, May 5, 1866, *Journal History*.

<sup>27</sup>Larsen, "Biographical Sketch."

<sup>28</sup>Allred to Smith, May 5, 1866.

<sup>29</sup>The quote is from Larsen, "Biographical Sketch." See also Allred to Smith, May 5, 1866.

the course to be taken with the Indians."<sup>30</sup> This message was received by Colonel Dame when General Snow was with him in Parowan. Snow was quite clear in his orders, "I left instructions with Col. Dame to see that those prisoners were treated kindly and such only retained in custody as were found hostile or affording aid to the enemy."<sup>31</sup>

While they were awaiting instructions, the captive Piedes were apparently interviewed at some length. According to Bishop William Allred, in his letter of May 5, 1866, these Indians revealed quite a story. They "confessed to . . . carrying ammunition to the hostile Indians," this a complete reversal of what they had told him before being arrested: "They had told me they had not a charge [i.e., round] of ammunition." Continuing his account of the interview, Allred stated: "They say that Black Hawk is at the Red Lake or Fish Lake from 40 to 60 miles from Circleville with a large amount of stock and that the PiUtes, Pahvants and the Navajoes have agreed to unite against us as a people that our little valley will be full of them on the 24th."<sup>32</sup>

The trustworthiness of these reports must come into question at this point. In fact these claims seem incredible. How could the Piedes be believed when at one point they said that they had no ammunition and at another that they were supplying such materiel to hostile Indians? Allred failed to report any physical evidence, such as caches of balls and powder being found among them. There is virtually nothing to indicate the Paiutes and Pahvants were in league with Black Hawk's Utes, especially in view of the long Paiute mistrust of that tribe. There is also no verifiable report regarding any attempt of the Utes to get support from the Navajos in their war on the whites. Equally suspect is the claim that a major invasion of these Indians on Circle Valley was imminent. No purpose was offered for the attack and no such move materialized.

It is more likely that the Piedes were exaggerating or lying or that the information was acquired through a series of mistranslations. Moreover, what purpose did it serve to tell their captors such a story? The Indians could well believe they had something to fear from the whites because they were disarmed, bound, and guarded, and one of their number had been killed attempting to escape. Logically, such

<sup>30</sup>Larsen, "Biographical Sketch."

<sup>31</sup>General Erastus Snow to Lieutenant General D. H. Wells, May 28, 1866, *Militia Records*, Utah State Archives.

<sup>32</sup>Allred to Smith, May 5, 1866.



information as the Piedes gave could only excite rather than calm the settlers. Furthermore, the Indians had nothing to gain from giving such reports unless they were given under duress.

Timing became a very important factor in the tragedy. The whites were expecting instructions from their militia leaders to arrive at any moment. Had the Piedes not attempted to escape, "they might have been liberated in a few hours receiving gifts from us," Oluf Christian Larsen said. He also reported that "a few men in the community exhibited great hatred to the Indians, but they were too few to have any influence as the people in general abhor[r]ed the shedding of blood."<sup>33</sup> After dusk, Larsen had just been relieved from guard duty over the Indians in the meetinghouse when they made their break. It was supposed that the Indians had been able to free themselves from their bonds without the guards noticing. The captives had been seated near one another with their blankets over their shoulders. They probably untied each other and planned their escape right in front of the guards, who could not understand their language. Attempting to take advantage of the darkness and the laxity that often comes with the changing of guards, they rose up in a group, took the sticks to which they had been tied, and rushed their captors. The whites felt forced to shoot. By the time Larsen "ran back" he found all the Indians "shot and in a dying condition."<sup>34</sup>

In a couple of matter-of-fact statements, Larsen described what was done regarding the women and children in the cellar: "The next consideration was how to dispose of the squaws and papooses. Considering the exposed position we occupied and what had already been done it was considered necessary to dispatch everyone that could tell that tale. Three [or four] small children were saved and adopted by good families."<sup>35</sup>

A. C. Anderson reported that eleven Indians were in the cellar. They were brought up one at a time and killed. He said he saw the whites slit the throat of the first victim brought up.<sup>36</sup> Why the settlers chose to use a knife rather than a gun is a little puzzling, but perhaps

<sup>33</sup>Larsen, "Biographical Sketch."

<sup>34</sup>Ibid. See also Allred to Smith, May 5, 1866. Few wounds received in such a melee would likely be mortal. It is more reasonable to assume that some Indians were allowed to die of wounds through lack of treatment or were killed rather than allowed to suffer.

<sup>35</sup>Larsen, "Biographical Sketch." In the version of Larsen's autobiography printed in Kate B. Carter, ed., *Heart Throbs of the West*, 12 vols. (Salt Lake City: Daughters of Utah Pioneers, 1939-51), 9:208-12, this quote has been omitted. In its place the following has been inserted in parentheses: "According to the record all the Indian prisoners were killed as they tried to escape. It was a terrifying experience for those early settlers in Circle Valley as they tried to protect themselves from the Indians in that vicinity. The orphaned Indian children were adopted by white families."

<sup>36</sup>Culmsee, *Black Hawk War*, pp. 90-91. Culmsee apparently had access to a letter Anderson wrote about the incident as an old man.

they wanted to conserve ammunition or feared that the report of shots would be heard for miles and alarm any Indians that might be in or near the valley. It is also possible the whites did not want to panic the others in the cellar as they awaited their turn to be murdered. These victims were women and children considered old enough to report what had happened.

It is uncertain how many were killed altogether. Bishop Allred said sixteen were killed and four children were allowed to live.<sup>37</sup> No other resident of Circleville at that time left an account mentioning the number of victims. Allred may not have included the man shot down while fleeing arrest or all of those killed in the meetinghouse and cellar. Allred said the sixteen killed were "all" of the group of Indians, but he made no mention of those kept in the cellar. His number is plausible but may be considered the minimum possible figure.

The decision to kill these Indians by those who "abhor[r]ed the shedding of blood" is a bit surprising. Larsen's claim that those who "exhibited great hatred to the Indians" were too few to influence the entire community indicates that the decision seemed rational and not emotional to the settlers who undoubtedly feared retaliation if other Indians learned what had happened in the meetinghouse. Who was responsible for the decision or who carried it out is not known. It is certain, however, that the two principal authorities in the town, Major Allred and Bishop Allred, were in positions to know what was happening. Presumably, nothing of such importance could have transpired without their knowledge and consent.

The hope that the affair at Circleville would not become widely known was in vain, for both Indians and whites soon heard of it. The Piedes killed had said they were related to those of the Kane County area. Erastus Snow of St. George reported all those of that tribe who were camped above Toquerville had departed "in bad temper" after hearing of the events in Circleville.<sup>38</sup> Bishop Thomas Callister of Fillmore wrote that the Indians of the area were "somewhat uneasy hearing so many reports of cruelty to friendly Indians by our brethren." Callister went on to state that Kanosh, a chief of the Pahvants, "thinks that the Indians have sufficient cause to lose confidence in our promises of protection to friendly Indians."<sup>39</sup> Such knowledge certainly did little

<sup>37</sup>Allred to Smith, May 5, 1866. Erastus Snow believed that "15 to 18" Piedes had been killed. See Erastus Snow to Lieutenant General D. H. Wells, May 28, 1866, Militia Records, Utah State Archives.

<sup>38</sup>Snow to Wells, May 28, 1866.

<sup>39</sup>Bishop Thomas Callister to George A. Smith, May 13, 1866, Journal History.



Left to right: Territorial Governor Charles Durkee may have known of the massacre but took no action; Kanosh, a Pahvant chief, said the event destroyed Indian confidence in white promises; Erastus Snow believed "a closer enquiry" was called for. USHS collections.

to convince the Indians to trust the whites, but it cannot be proved that mistrust led to retaliation, such as additional attempts to steal cattle.

The news of the events at Circleville soon reached Parowan. Joseph Fish recorded that the citizens of the town had learned that the Indians were killed in an escape attempt. Opinions differed regarding the actions of the whites. "Some looked upon this as butchery and not justifiable, and many others condemned this harsh move with friendly indians [*sic*]," Fish wrote. "Others said they were in league with the hostile Indians and should receive the same treatment."<sup>40</sup>

Militia officials were also soon made aware of much of what had happened in Circleville. On May 3, 1866, Daniel H. Wells, commander of the Utah Militia, wrote to Brig. Gen. Erastus Snow saying that he did not know what else the "brethren" could have done.<sup>41</sup> Snow did not let matters rest upon receiving this opinion. Apparently disturbed by the affair, he wrote back to Wells on May 28, 1866, and reported he knew nothing of the affair in Circleville officially. By rumor, however, he had learned of the "slaughter of 15 or 18 Piede prisoners." Snow did not know why and how they were slain; nor had he been given any reason for their arrest beyond "suspicion" of complicity and of harboring spies from hostile Indian groups. He regretted not instituting "a closer enquiry" into the causes of their arrest. Believing that the matter had gone beyond his jurisdiction, Snow left

<sup>40</sup>Joseph Fish, "Diaries."

<sup>41</sup>Daniel H. Wells to Erastus Snow, May 3, 1866, Journal History.

the question of an investigation to the discretion of Wells.<sup>42</sup> Apparently Wells's mind was already made up, for no action was taken.

Bishop Thomas Callister of Fillmore stated he saw the territorial governor, Charles Durkee, and the superintendent of Indian affairs in Utah, F. H. Head, on May 10 when they came to visit the Indians at Corn Creek. That evening Head told Callister "privately" what policies he planned to pursue with the Indians and said he "regretted much that some Indians that had had the promise and assurance of protection and safety had been murdered."<sup>43</sup>

It is not certain that the murders referred to by Superintendent Head were those perpetrated by the whites at Circleville or that the governor knew of these killings, because Head talked with Callister alone. However, the closeness of the date of Callister's letter to the affair at Circleville provides some indication that he was referring to the Circleville killings. It is also probable Governor Durkee had been informed by Head of the incident. They were traveling together, and, furthermore, the governor needed to be apprised of the condition of white and Indian relations. But once again no action was taken; federal and territorial officials failed, as had militia leaders, to bring the law to bear on whites regarding their misconduct against Indians.

The brutality of whites during the early stages of the Black Hawk War suggests they were inadequately prepared to face the realities of an Indian uprising. This was nowhere more obvious than at Circleville. The local militia was not ready in terms of numbers, materiel, and training to deal effectively with their aboriginal enemies. Town fortifications were built too late to give the settlers a feeling of adequate security, and the communities of the area and the garrison at Fort Sanford were too far away to provide rapid support in an emergency.

A disastrous raid had helped establish fear and hatred among the whites. Such emotions were exaggerated by the confusing nature of a war in which there was no easy way of telling peaceful Indians from renegades. Because legal authorities were too weak to control the brutal activities of the war and instances of savage behavior went unpunished, a dangerous precedent was set. By late April 1866 it was clear that whites needed to concern themselves little with legal action when Indians were mishandled. When it was feared that a local group of Indians could no longer be trusted, war hysteria took hold of at least some whites of Circleville and innocent people were killed.

<sup>42</sup>Snow to Wells, May 28, 1866.

<sup>43</sup>Bishop Thomas Callister to George A. Smith, May 13, 1866, Journal History.





## Arthur Pratt, Utah Lawman

BY RICHARD S. VAN WAGONER AND MARY VAN WAGONER

IN THE LATE AFTERNOON OF OCTOBER 11, 1874, Deputy U.S. Marshal Arthur Pratt approached the gate of Brigham Young's Lion House office to serve a subpoena on the Mormon church president. Pratt was told that Young was ill and could not be disturbed. The gatekeeper advised that the papers could be served when Young's secretary returned. The twenty-one-year-old lawman, refusing to accept this ar-

Mr. Van Wagoner is a clinical audiologist in Salt Lake City, and Mrs. Van Wagoner is a graduate student at the University of Utah.

Above: Arthur and Agnes E. Caine Pratt with their children. Courtesy of Chester Pratt.

rangement, left the premises. Undaunted, he soon returned in the company of U.S. Marshal George R. Maxwell. Joseph Shaw, Young's gatekeeper, defiantly refused the federal officials entrance. During the scuffle that ensued, Pratt wrestled Shaw to the ground where he was subdued, arrested, and taken to the penitentiary. The two lawmen, with a contingent of deputies, then returned to Young's office where they were met by Salt Lake City Mayor Daniel H. Wells who assured them that President Young would now accept the subpoena.

The Mormon community, used to seeing Brigham Young treated with imperial respect, was incensed by the actions of the lawmen. Deputy Pratt was particularly singled out in an October 13, 1874, *Deseret Evening News* editorial: "There is a disposition manifest by some persons in this community," the piece began, "to do their utmost to create excitement, and not only excitement but real trouble." The chief concern of the *News* was how the eastern press would respond to the incident. "Nobody was hurt," the editor argued,

and, with a little coolness, civility, and consideration on both sides, but especially on that of the deputy who gave the original offence, there would have been nothing at all amiss. It adds nothing to the dignity of the Federal Government when any one of its officers conducts himself with gratuitous offensiveness, and there are few Americans of any kind, or men of any nationality, who have the spirit of men within them, who would not resent the overbearing and hectoring arrogance and insolence of men clothed with a little brief authority.

Had Arthur Pratt been a boozing, womanizing gentile, appointed to his position by eastern political hacks, perhaps it would have been easier to understand his determination in serving the papers. But Pratt was the son of one of Mormonism's best-known couples, Apostle Orson Pratt and his first wife, Sarah M. Bates. Born in Salt Lake City on March 12, 1853, Arthur was educated in the city school system and graduated from the University of Deseret. In early 1870 he served as foreman of the Nineteenth Utah Territorial Legislature of which his father was Speaker. After a stint as director of a stage line from Salt Lake City to Pioche, Nevada, Arthur married Agnes E. Caine,<sup>1</sup> on December 25, 1872, moved in with his father, and began new employment as an agent with the Salt Lake Furniture Company.

Young Pratt had just begun his new job as a deputy U.S. marshal in the fall of 1874 when smoldering family difficulties with Mormon

<sup>1</sup>Agnes E. Caine was a daughter of John T. Caine, Utah territorial secretary and for many years delegate to Congress.



Agnes E. Caine Pratt and Arthur Pratt, the latter from a *Deseret News* photograph dated December 20, 1913. Both prints courtesy of Chester Pratt, a grandson.



that he had said, "I could plow a furrow around a hundred acre field of such men, and tell them to stay within the boundary, and I would feel perfectly safe that not one of them would disobey instructions."

Pratt did not live in Ogden long. On January 6, 1890, the U.S. Supreme Court ruled that he and Bolivar Roberts could assume their positions as territorial auditor and recorder respectively. The Pratts returned to Salt Lake and took up residence at 164 East South Temple. In addition to his territorial position, Pratt also served as secretary of the Salt Lake City Gas Company and assisted in the organization of the Republican party in the territory.

The February 19, 1892, *Deseret Evening News* reported assault charges brought against Arthur Pratt by D. A. Sullivan. The incident was the result of an election day fracas when Sullivan, a unregistered voter, was refused voting rights by election judge Rulon S. Wells. In his anger Sullivan struck Wells. Pratt, who was in the vicinity, immediately came to Wells's aid and "dealt Sullivan a blow over the head with a walking stick." Pratt's acquittal was noted in the February 24 *Deseret Evening News*.

Despite satisfaction with his territorial position, Pratt's heart was in law enforcement work. In late 1893 he was elected Salt Lake City chief of police. Prior to taking command of his new position on

January 1, 1894, he visited the San Francisco police department. Speculation ran high that Pratt would make significant changes to lessen the frequent charges of police brutality. "A good many members of the police force will stop twirling their ebony, cherry and mohagany clubs early in January," the December 28, 1893, *Deseret Evening News* editorialized; "others will also be retired to private life as soon as the new men become initiated."

Chief Pratt's first year on the job was rife with difficulties. California was rampant with unemployment and hundreds of men unable to find jobs were given free passage to Ogden, Utah, by Southern Pacific Railroad. As the first group of the "Industrial Army" arrived in Utah, they began to drift south looking for food, shelter, work, or a passage elsewhere. Within a three-day period in late May, more than two hundred of these "wealers," as they were popularly called, had reached Salt Lake City. City officials, viewing the drifters as a "menace to the peace and quietude" of the city, desired to keep them under close scrutiny. Pratt was assigned responsibility to "feed and watch this indigent horde."<sup>8</sup> Leaders of the Industrialists informed Pratt that not only had they been given free passage on the railroad to Ogden but that there were 15,000 more men in California waiting to catch Southern Pacific freight trains. If matters were not complicated enough for Chief Pratt, on May 24, 1894, Davis County officials telephoned Salt Lake City Mayor Robert Baskin requesting his assistance in combating the depredations of Industrialists in that part of the state.

Baskin, perhaps recognizing that it was best to keep the unemployed men further north, where they would be more likely to catch a train out of the state, ordered Pratt and a force of policemen to "proceed to any point which the Davis County authorities might designate in order to check the pillage." On May 25 Pratt and twenty-two Salt Lake policemen, armed with a court injunction to prevent the Industrialists from crossing the Davis-Weber County line, arrived in Davis County.

Though the problems with the Industrial Army were resolved, Pratt continued to experience difficulties as he began his upgrading of the Salt Lake City police department. On August 10, 1894, he met with the entire police force behind closed doors. "Bickering, distrust, suspicion, [and] unrest" were undermining the efficiency of the force, he was quoted in the August 10 *Deseret Evening News*, and all such behavior "must be stopped no matter how great the cost." He also

<sup>8</sup> Mayor Robert Baskin to Utah Gov. Caleb West, May 24, 1894, *Deseret Evening News*.

his salary for September 1897 through January 1898. A Utah State Supreme Court decision in late March ultimately vindicated Pratt. The March 25 *Deseret Evening News* advised that no motion for a rehearing be filed, and that the "de jure chief of police [be] allowed to enter upon the actual performance of the duties of his office without delay." After a lengthy discussion of the merits of the court's decision, the paper urged,

Now let wrangling cease. Let the City Council hold up the Mayor's hands in his efforts to give the city a good government. Let meddlesome schemers who were not placed in office by the people be no longer permitted to dominate the men who were. Again the "News" says let us have peace.

The Salt Lake City police department continued to remain a hotbed of political meddling. Though Arthur Pratt remained its chief for a time, he eventually found another law enforcement position with fewer political strings attached. In 1904 he became the warden of the Utah State Prison at Sugarhouse, a position he had earlier held in territorial Utah.

During Warden Pratt's thirteen-year tenure the Utah State Prison became recognized as a model institution. He abolished "locksteps," striped clothing, the shaving of heads, "dark cells," and bread and water diets. An avid baseball fan, Pratt encouraged the sport at the prison. Prisoners who maintained good behavior throughout the week were allowed to play or watch the Saturday games. During inclement weather, musicals, literary programs, and lectures were sponsored. Vaudeville and "moving pictures" were very popular. And the prisoners were allowed to make use of newspapers, magazines, and books.

Utah had insufficient funds for employing laborers on the building of new state roads during the early 1900s, and Pratt, under the guidance of Gov. William Spry, was one of the earliest advocates of utilizing convict labor on state highway systems. Prisoners were motivated by the novel idea of deducting ten days from their sentence for each day worked on the roads. The program was a resounding success. In 1915 the system employed a daily average of 54.5 men. In 1916 that number increased to 66.5. By Pratt's own estimation the 1915 convict work force alone saved the state \$44,278. In addition to the financial advantages to the state, Pratt was convinced that the work done by the prisoners benefited them immensely. "It not only adds to their health," he was quoted, "but it gives them a better outlook on life in general and makes better men of them." As evidence of the success of



State prison at Sugarhouse. Arthur Pratt was the warden there when the notorious Joe Hill was executed in 1915. USHS collections.

the program he noted that "of all the men we have had working on the roads only three have come back to the prison, after their termination of sentence to serve for other crimes."<sup>9</sup>

One of the less desirable, though necessary aspects of Pratt's duties at the state prison was presiding over numerous executions on the prison grounds or elsewhere in isolated parts of Salt Lake County. The most notorious of these cases was the November 19, 1915, execution of convicted murderer Joel Hagglund, alias Joseph Hillstrom—Joe Hill as he was known in International Workers of the World circles. The "Songbird of the IWW," or the "Wobblies' Troubadour," as legend dubbed him, drifted to Salt Lake City in the summer of 1913. On the evening of January 10, 1914, he and an accomplice fatally shot Salt Lake grocer John G. Morrison and his seventeen-year-old son Arling during an apparent robbery attempt. Hillstrom was apprehended while seeking medical help for the chest wound he had received in the shootout with the Morrisons.

Hillstrom's lawyers, hired by the IWW, tried to prove that because he had written many of the organization's revolutionary songs,

<sup>9</sup>Undated *Deseret Evening News* clipping in Chester Pratt collection.



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# UTAH

## HISTORICAL QUARTERLY

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THE COVER Photographer C. L. Joy, kneeling at right, took this picture ca. 1900, probably in American Fork Canyon. His wife, Nellie Forbes, posed directly above him holding a hat. USHS collections, courtesy of Charles F. Joy.



*Black Hawk and a historic marker at Payson, Utah. USHS collections.*

10 Apr 1865 → 18705

## The Circleville Massacre: A Brutal Incident in Utah's Black Hawk War

BY ALBERT WINKLER

Dr. Winkler is an archivist in the Harold B. Lee Library at Brigham Young University, Provo, Utah.

IN APRIL 1866 THE WHITE SETTLERS OF Circleville annihilated a band of captive Paiute Indians, including helpless women and children. This incident of the Black Hawk War of 1865-68 was the largest massacre of Indians in Utah's history. The mass murder seemed necessary to those who were anxious about possibly continuing Indian hostilities. The whites of Circleville had suffered dearly in a previous Indian raid and

wanted to prevent a similar tragedy. Their concern was increased by defenses inadequate for the realities of war. In addition, brutal responses by other whites to Indian disturbances had set a precedent for the settlers of Circleville.<sup>1</sup>

Major incidents of brutality occurred from the war's outset, with the killing of innocent men, women, and children committed by both Indians and whites. Although the Indian raids apparently had as their main objective the stealing of cattle, whites were slain in various attacks. The first year of the war witnessed the greatest number of killings at the hands of the Indians, in part because the settlers were ill-prepared for a war most had not foreseen. The largest number of whites were killed on the morning of May 26, 1865, when a war party raided into Thistle Valley near modern Indianola. John Given, his wife, and their son were shot. The three young girls of the Given family, ages nine, five, and three, were killed by blows of an ax or tomahawk to the head.<sup>2</sup> In another brutal raid, staged on October 17, 1865, a party of Utes led by Black Hawk struck near Ephraim, leaving five dead, including two women.<sup>3</sup> Some six weeks later, on November 26, several whites lost their lives in an attack on Circleville which will be described in some detail below.

For their part, the whites were equally capable of excesses. Two incidents in July 1865 stand out because of the relatively large number of Indians killed. Seeking to intercept a party of Indians that had recently ambushed and killed two men, about one hundred members of the Sanpete militia, under the command of Maj. Warren S. Snow, surrounded an Indian camp near modern Burrville on July 18 and a battle ensued. The militiamen fired blindly into a large, bushy cedar tree. After the skirmish a "dozen or more" corpses, including women and children, were found near the tree. Soon after, several women and children being guarded by Louis Thompson of Ephraim and others staged an apparent escape attempt, with one of the Indian women striking Thompson with a stick. Reportedly, "He then shot her. This excited

<sup>1</sup>An analytical history of the Black Hawk War has yet to be written. Narrative histories include: Peter Gottfredson, *Indian Depredations in Utah* (Salt Lake City, 1919); Carlton Culmsee, *Utah's Black Hawk War: Lore and Reminiscences of Participants* (Logan: Utah State University Press, 1973); and Kate B. Carter, comp., "Black Hawk Indian War," *Our Pioneer Heritage*, 20 vols. (Salt Lake City: Daughters of Utah Pioneers, 1958—), 9: 169-256. Each of these works includes various primary sources in the text which are most helpful in research. Gottfredson is particularly valuable.

<sup>2</sup>Gottfredson, *Depredations*, pp. 140-44. See also Albert Winkler, "The Massacre at Thistle Valley," *Frontier Times*, April-May 1978.

<sup>3</sup>*Ephraim's First One Hundred Years* (Ephraim: Centennial Book Committee, 1954?), pp. 13-15. See also Gottfredson, *Depredations*, pp. 169-76, and Albert Winkler, "Orphaned by Black Hawk's Warriors," *True West*, June 1982, pp. 48-52.